



CITY OF WILLIAMSBURG

MEMORANDUM

TO: Mayor and City Council

DATE: January 3, 2007

SUBJECT: 2006 Comprehensive Plan Implementation
Commercial Corridors

- PCR #06-039 – B-2 Tourist Business District Revisions
- PCR #06-040 – Rezoning Parkway Drive, Penniman Road and Second Street area from B-3 to B-2
- PCR #06-041 – Rezoning 942 Capitol Landing Road from B-3 to B-2.
- PCR #06-042 – Rezoning 919 Capitol Landing Road from RS-2 to LB-4.
- PCR #06-043 – Rezoning 530, 532 and 541 Mill Neck Road from B-2 to LB-4.

This package of zoning amendments implements the recommendations of the 2006 Comprehensive Plan for the Commercial Corridors. The Implementation chapter has the following recommendations:

Commercial Corridors

The plans for the Corridor Commercial areas contained in *Chapter 10 – Commercial and Economic Development* recommend an updating of the zoning regulations to more closely reflect the character of these corridors. The following zoning changes should be adopted:

Zoning Text Changes

1. Rename the B-2 Tourist Business District to the B-2 Corridor Commercial District. ***Proposed as PCR #06-039.***
2. Revise the use regulations to allow, with a special use permit, more intensive uses such as car washes, contractor's establishments, mini-storage warehouses, and printing and photocopying shops. ***Proposed as PCR #06-039.***
3. Revise the use regulations to allow multifamily dwellings with a special use permit use at a density of 14 dwelling units per net acre, with 67% of the floor area on an individual lot allowed to be used for residential uses. ***Proposed as PCR #06-039.***

Zoning Map Changes

1. Change the B-3 General Business District for the Second Street and Penniman Road area to B-2 Corridor Business District. **Proposed as PCR #06-040.**
2. Change the B-3 General Business District at the southeast corner of Capitol Landing Road and Merrimac Trail to B-2 Corridor Business District. **Proposed as PCR #06-041.**
3. Change the B-2 Corridor Business District for the properties fronting on Mill Neck Road and designated as Office land use to LB-4 Limited Business Corridor District. **Proposed as PCR #06-043.**

In addition, the Plan recommends, in Chapter 10 (page 10-14), that an additional Office area (LB-4 Limited Business Corridor District) should be established north of the Woods Drive area. **Proposed as PCR #06-042.**

These proposed changes are detailed in the following sections.

PCR #06-039 – B-2 TOURIST BUSINESS DISTRICT REVISIONS

As recommended by the 2006 Comprehensive Plan, the B-2 Tourist Business District is renamed the “Corridor Business District.” Chapter 7 – Land Use Categories describes Corridor Commercial land use as follows:

This land use category designates land on the City's heavily traveled entrance corridors for commercial and service uses primarily oriented to the automobile. This category applies to local shopping areas, as well as to existing and future hotels, restaurants and other tourism retail uses. It also includes the automobile-oriented commercial uses along Second Street. Substantial sections of Richmond Road, Capitol Landing Road, York Street and Second Street are currently developed in this land use pattern, which is also intended for the small portion of Mooretown Road that is located within the City Limits. To ensure high quality development, the more intensive commercial uses should require special use permits. Corridor Commercial land use is intended to promote the City's economic development policy for its limited, remaining high-visibility commercial sites.

Residential should be allowed in Corridor Commercial areas but only as multifamily combined with non-residential uses in a mixed-use format. This will ensure that valuable commercial land is not completely used for residential purposes. Residential uses should require a special use permit to ensure compatibility with commercial uses.

The B-2 zoning district, with modifications, will implement this land use category. It should, however, be renamed Corridor Business District instead of the current Tourist Business District.

To implement this recommendation, the following changes are proposed to the B-2 District, and are included in the attached ordinance:

1. Renaming the District “B-2 Corridor Business District.”
2. Revising the statement of intent to reflect the “corridor commercial” orientation.
3. Revising the multifamily dwelling regulations to allow up to 67% of the gross floor area on any lot to be devoted to multifamily use with a special use permit. Non-residential floor area is required to be constructed simultaneously with the construction of the multifamily floor area. The requirement that multifamily dwellings be condominiums has been deleted for the special use permit use.
4. Adding the following additional permitted uses: day care centers, funeral homes, printing and photocopying shops, and repair services and businesses.
5. Adding the following additional special use permit uses: boat sales and service added to the automobile sales and service line item; carwashes, contractor’s establishments, ministorage warehouses, warehouses and wholesale businesses.
6. Adding a reduced 15-foot front yard requirement (and street side yard requirement) for Parkway Drive, Penniman Road and Second Street (the standard front yard is 35 feet). This matches the 15 foot setback for the existing B-3 District for this area.
7. Revising the side yard requirement from “0 feet or at least 15 feet” to a straight 10 foot requirement for both multifamily and other uses.
8. Revising the rear yard requirement from 25 feet for multifamily and 15 feet for other uses to 15 feet for all uses.

The requirement for Landscaped Open Space will remain at the B-2 standard of 20% of the total lot area. This is greater than the present 15% for the Parkway Drive, Penniman Road and Second Street area, and for the lot at 942 Capitol Landing Road. The recently approved BlueGreen Timeshares had 36% landscaped open space, and several other uses approved over the past 10 years have met the 20% requirement – La Tolteca, 135 Second Street (34%); Jiffy Lube, 317 Second Street (51%); DMV/Shopping Center, 942 Capitol Landing Road (21%).

PCR #06-040 – PARKWAY DRIVE, PENNIMAN ROAD AND SECOND STREET REZONING

As recommended by the 2006 Comprehensive Plan, the existing 75 acre B-3 General Business District for the Second Street/Penniman Road area is proposed to be rezoned

to the new B-2 Corridor Business District, as described above. The revisions to the B-2 District have been designed to integrate this area into the new district. No uses are made nonconforming by this change.

PCR #06-041 – 942 CAPITOL LANDING ROAD REZONING

As recommended by the 2006 Comprehensive Plan, 4.2 acres at 942 Capitol Landing Road is proposed to be rezoned to the new B-2 Corridor Business District, as described above. This will integrate this small spot, which includes the DMV office and a small shopping center, into the B-2 District that extends along Capitol Landing Road from the Colonial Parkway to Merrimac Trail. No uses are made nonconforming by this change.

PCR #06-042 – 919 CAPITOL LANDING ROAD REZONING

As recommended by the 2006 Comprehensive Plan, a 5.93 acre area behind the Alexander Commons office development is proposed to be rezoned to LB-4 Limited Business Corridor District. This is part of the same lot as Alexander Commons, and will allow the future expansion of this office area. There are two existing rental houses on this property.

PCR #06-043 – 530, 531 AND 541 MILL NECK ROAD REZONING

As recommended by the 2006 Comprehensive Plan, a 4.19 acre area fronting on the end of Mill Neck Road at Rt. 199, and located behind the CVS and C&F Bank on Jamestown Road, is proposed to be rezoned to LB-4 Limited Business Corridor District. This is a more restrictive zoning category than the existing B-2 Tourist Business District, and is more appropriate for its location and access via Mill Neck Road. 530 Mill Neck Road is a 3.05 acre vacant parcel, 531 Mill Neck Road is an office building, and 541 Mill Neck Road is a City-owned vacant lot. A beauty shop is located on the first floor of 531 Mill Neck Road, and will be made nonconforming by this proposal. As a legally nonconforming use, it can remain indefinitely so long as it is not discontinued for more than 24 consecutive months.

STAFF RECOMMENDATIONS

This package of changes implements the recommendations of the 2006 Comprehensive Plan, which was adopted by City Council on October 12, 2006, and staff recommends the following:

PCR #06-039 – B-2 District Zoning Text Amendments

Approve the following changes as detailed in Proposed Ordinances #07-02 and #07-03: **(1)** change the name of the district to Corridor Business District B-2; **(2)** revise the statement of intent; **(3)** revise the multifamily dwelling regulations to allow up to 67% of the floor area on a lot to be devoted to multifamily use with a special use permit; **(4)** revise the uses permitted by right by adding day care centers, funeral homes, repair services and businesses, and printing and photocopying shops; **(5)** revise the uses

permitted with a special use permit by adding carwashes, contractor's establishments, ministorage warehouses, warehouses and wholesale businesses; **(6)** revise the front yard requirements by allowing a 15 foot front yard on Parkway Drive, Penniman Road and Second Street; **(7)** revise the side yard requirements to establish a 10 foot side yard for all uses; and **(8)** revise the rear yard requirements to establish a 15 foot rear yard for all uses.

PCR #06-040 – Rezoning 75 acres on Parkway Drive, Penniman Road and Second Street from B-3 to B-2

Approve the rezoning, as detailed in Proposed Ordinance #07-04.

PCR #06-041 – Rezoning 4.2 acres at 942 Capitol Landing Road from B-3 to B-2

Approve the rezoning, as detailed in Proposed Ordinance #07-05.

PCR #06-042 – Rezoning 5.93 acres at 919 Capitol Landing Road from RS-2 to LB-4

Approve the rezoning, as detailed in Proposed Ordinance #07-06.

PCR #06-043 – Rezoning 4.19 acres at 530, 531 and 541 Mill Neck Road from B-3 to LB-4

Approve the rezoning, as detailed in Proposed Ordinance #07-07.

PLANNING COMMISSION RECOMMENDATIONS

Planning Commission held a public hearing on these proposals on December 20, 2006. Seven citizens spoke concerning these requests. Following an extensive discussion, Planning Commission made the following recommendations to City Council:

PCR #06-039 – B-2 District Zoning Text Amendments

By a 7-0 vote, Planning Commission recommended approve the following changes as detailed in Proposed Ordinances #07-02 and #07-03: **(1)** change the name of the district to Corridor Business District B-2; **(2)** revise the statement of intent with additional minor changes; **(3)** revise the multifamily dwelling regulations to allow, with a special use permit, up to 67% of the floor area on a lot to be devoted to multifamily use with a special use permit, with an added requirement that all dwelling units be maintained and operated as a condominium; **(4)** revise the uses permitted by right by adding day care centers, funeral homes, repair services and businesses, and printing and photocopying shops; **(5)** revise the uses permitted with a special use permit by adding carwashes, contractor's establishments, ministorage warehouses, warehouses and wholesale businesses; **(6)** revise the front yard requirements by allowing a 15 foot front yard on Parkway Drive, Penniman Road and Second Street; **(7)** revise the side yard requirements to establish a 10 foot side yard for all uses; and **(8)** make no changes to the rear yard requirements, retaining the 25 foot rear yard requirement for buildings containing multifamily uses.

PCR #06-040 – Rezoning 75 acres on Parkway Drive, Penniman Road and Second Street from B-3 to B-2

By a 7-0 vote, Planning Commission recommended approval of the rezoning, as detailed in Proposed Ordinances #07-04.

PCR #06-041 – Rezoning 4.2 acres at 942 Capitol Landing Road from B-3 to B-2

By a 7-0 vote, Planning Commission recommended approval of the rezoning, as detailed in Proposed Ordinance #07-05.

PCR #06-042 – Rezoning 5.93 acres at 919 Capitol Landing Road from RS-2 to LB-4

By a 7-0 vote, Planning Commission recommended approval of the rezoning, as detailed in Proposed Ordinance #07-06.

PCR #06-043 – Rezoning 4.19 acres at 530, 531 and 541 Mill Neck Road from B-3 to LB-4

By a 7-0 vote, Planning Commission recommended approval of the rezoning, as detailed in Proposed Ordinance #07-07.

SUGGESTED ACTION BASED ON THE COMMISSION'S RECOMMENDATIONS

PCR #06-039 – B-2 District Zoning Text Amendments

Adopt Proposed Ordinances #07-02 and #07-03.

PCR #06-040 – Rezoning 75 acres on Parkway Drive, Penniman Road and Second Street from B-3 to B-2

Adopt Proposed Ordinance #07-04.

PCR #06-041 – Rezoning 4.2 acres at 942 Capitol Landing Road from B-3 to B-2

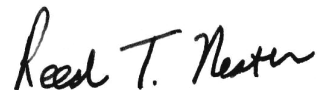
Adopt Proposed Ordinance #07-05.

PCR #06-042 – Rezoning 5.93 acres at 919 Capitol Landing Road from RS-2 to LB-4

Adopt Proposed Ordinance #07-06.

PCR #06-043 – Rezoning 4.19 acres at 530, 531 and 541 Mill Neck Road from B-3 to LB-4

Adopt Proposed Ordinance #07-07.



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Planning Director